

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Deborah S. Traffenstedt, Deputy City Manager *DST*

DATE: December 10, 2014 (CC Meeting of 12/17/14)

SUBJECT: Consider Resolution Rescinding Resolution No. 97-1327, Electing to be Subject to Public Employees Medical and Hospital Care Act Only with Respect to Non-Competitive/General Members

BACKGROUND AND DISCUSSION

A copy of Resolution No. 97-1327 is attached to this report. This 1997 resolution authorized non-competitive/general members, which were the City's part-time employees, to enroll in the California Public Employees Retirement System (CalPERS) health insurance program (also known as the Public Employer Medical and Hospital Care Act Program--PEMHCA). Enrollment was subject to the part-time employee paying the employer's contribution amount, (which was \$16 in 1997), the CalPERS administrative fee, and the full employee share of the health insurance cost. To staff's knowledge there were no enrollments pursuant to Resolution No. 97-1327, because the combined cost of the CalPERS health insurance for the part-time employee was usually not cost effective, and it was also not feasible to withhold a health insurance payment from the paychecks of employees working variable hours, frequently with insufficient hours to cover the cost of the health insurance.

Resolution No. 97-1327 has been out of date for a considerable period of time, and needs to be rescinded. The Federal Patient Protection and Affordable Care Act (ACA) has changed the rules for enrolling variable-hour employees. The City Council through adoption of Resolution No. 2014-3332 (which adopted "Safe Harbors" under the ACA) has authorized the City Manager to approve the ACA policies and procedures. On November 21, 2014, CalPERS published Circular Letter No. 600-061-14, pertaining to ACA and PEMHCA compliance for enrolling variable-hour employees into PEMHCA. The referenced CalPERS Circular Letter instructions will be referenced in the City's ACA operational procedures currently being drafted for approval by the City Manager. CalPERS does not require a separate City Council resolution for enrolling variable-hour employees who become eligible for PEMHCA health benefits pursuant to the ACA, and Resolution No. 97-1327 should be rescinded.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Adopt Resolution No. 2014-____, rescinding Resolution No. 97-1327.

Attachments:

1. Resolution No. 97-1327
2. Draft Resolution rescinding Resolution No. 97-1327

RESOLUTION NO. 97-1327

RESOLUTION ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO NON-COMPETITIVE/GENERAL MEMBERS

WHEREAS, Government Code Section 22850.3 provides that a contracting agency may elect upon proper application to participate under the Public Employees' Medical and Hospital Care Act with respect to a recognized employee organization only; and

WHEREAS, CITY OF MOORPARK, hereinafter referred to as Public Agency is a local agency contracting with the Public Employees' Retirement System; and

WHEREAS, The Public Agency desires to obtain for the member of Non-Competitive/General employees (Exhibit "1"), who are employees and annuitants of the agency, the benefit of the Act and to accept the liabilities and obligations of an employer under the Act and Regulations; now, therefore, be it

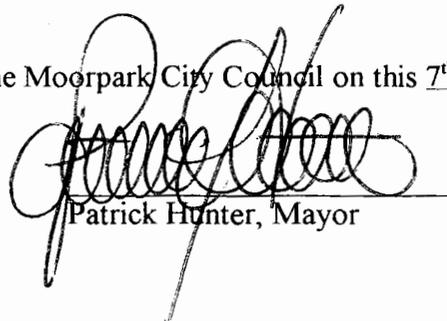
RESOLVED, That the Public Agency elect, and it does hereby elect, to be subject to the provisions of the Act; and be it further

RESOLVED, That the employer's contribution for each employee and annuitant shall be the amount necessary to pay the full cost of his enrollment, including the enrollment of his family members in a health benefits plan up to a maximum of sixteen dollars (\$16.00) per month plus administrative fees and Contingency Reserve Fund Assessment; and be it further

RESOLVED, That the executive body appoint and direct and it does hereby appoint and direct, the Deputy City Manager to file with the Board of Administration of the Public Employees' Retirement System a verified copy of this Resolution, and to perform on behalf of said Public Agency all functions required of it under the Act and Regulations of the Board of Administration; and be it further

RESOLVED, That coverage under the Act be effective on July 1, 1997.

Passed, Approved, and Adopted at a Special Meeting of the Moorpark City Council on this 7th day of June, 1997.


Patrick Hunter, Mayor

Attest:


Lillian Harz, City Clerk



Exhibit 1

Non-Competitive Service General
Administrative Aide
Clerical Aide
Clerk/Typist
Crossing Guard
Intern
Laborer I,II,III
Recreation Leader I,II,III



MOORPARK

799 Moorpark Avenue Moorpark, California 93021 (805) 529-6864

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF MOORPARK)

I, Lillian E. Hare, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 97-1327 was adopted by the City Council of the City of Moorpark at a meeting held on the 7th day of JUNE, 1997, and that the same was adopted by the following vote:

AYES: COUNCILMEMBERS EVANS, RODGERS TEASLEY, WOZNIAK
AND MAYOR HUNTER
NOES: NONE
ABSENT: COUNCILMEMBER PEREZ
ABSTAIN: NONE

WITNESS my hand and the official seal of said City this 12th day of JUNE, 1997.


Lillian E. Hare, CMC
City Clerk

RESOLUTION NO. 2014-

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MOORPARK, CALIFORNIA, RESCINDING
RESOLUTION NO. 97-1327

WHEREAS, an agenda report has been presented to the City Council at the December 17, 2014 regular meeting, recommending that Resolution No. 97-1327, Electing to be Subject to Public Employees Medical and Hospital Care Act Only with Respect to Non-Competitive/General Members, be rescinded.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Resolution No. 97-1327 is hereby rescinded.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 17th day of December, 2014.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk